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Atty. Dkt. No. 084335-0133

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Toshio Ota et al.  
Title: IMMOBILIZED cDNA LIBRARIES  
Appln. No.: 09/787,504  
Filed: March 19, 2001  
Examiner: Jeanine Anne Goldberg  
Art Unit: 1634

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**CERTIFICATION and INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §1.56 and 37 C.F.R. §1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In order to comply with Applicant duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith on a modified Form PTO-1449 is a listing of a document known to Applicants. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b).

Applicants does not waive any rights to take any action which would be appropriate to antedate or  
10/29/2002 RHARON 00000013 09787504  
01 FC:1806 otherwise remove as a competent reference any document which is determined to be a prima facie  
prior art reference <sup>180.00 pp</sup> against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), within three (3) months of the mailing date of the foreign search report.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application dated not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO-1449 was cited as being relevant during the prosecution of the corresponding European application. A copy of the Search Report is attached setting forth the portion of each document considered relevant by the examiner. English-language counterparts of foreign-language documents have been provided where readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

All of the documents are in English.

Applicants respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date Oct. 18, 2002

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30. Aug. 2002

Frist  
bearb.

Datum/Date

29.08.02

Zeichen/Ref./Réf.

F 1503 EP

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

99938604.8-2405-JP9904549

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

Helix Research Institute

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

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## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	TAKASHI ISHIKAWA ET AL: "CONSTRUCTION OF CDNA BANK FROM BIOPSY SPECIMENS FOR MULTIPLE GENE ANALYSIS OF CANCER" CLINICAL CHEMISTRY, AMERICAN ASSOCIATION FOR CLINICAL CHEMISTRY. WINSTON, US, vol. 43, no. 5, 1997, pages 764-770, XP002917361 ISSN: 0009-9147 * figure 1 *	13, 14	C12N15/00
X	SUZUKI Y ET AL: "CONSTRUCTION AND CHARACTERIZATION OF A FULL LENGTH-ENRICHED AND A 5'-END-ENRICHED CDNA LIBRARY" GENE, ELSEVIER, AMSTERDAM, NL, vol. 200, no. 1/2, 19 November 1997 (1997-11-19), pages 149-156, XP002917609 ISSN: 0378-1119 * abstract *	13, 14	
X	WO 94 08007 A (HARVARD COLLEGE) 14 April 1994 (1994-04-14) * page 10, line 27 * * page 18, line 26 *	13, 14, 16-18	TECHNICAL FIELDS SEARCHED (Int.Cl.7)  C12N
X	WO 98 21366 A (Q B I ENTERPRISES LTD ;EINAT PAZ (IL); VASQUEZ IASLOP NORA CECILIA) 22 May 1998 (1998-05-22) * the whole document *	13, 14, 19	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
1	Place of search MUNICH	Date of completion of the search 20 August 2002	Examiner Herrmann, K
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ..... & : member of the same patent family, corresponding document			
EPO FORM 1503.03.92 (P04C04)			

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 99 93 8604

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

20-08-2002

Patent document cited in search report	Publication date		Patent family member(s)	Publication date
WO 9408007	A	14-04-1994	AU 681095 B2 AU 5294693 A CA 2145769 A1 EP 0663007 A1 JP 8502168 T WO 9408007 A1 US 5665862 A	21-08-1997 26-04-1994 14-04-1994 19-07-1995 12-03-1996 14-04-1994 09-09-1997
WO 9821366	A	22-05-1998	AU 5442198 A EP 0960212 A1 JP 2001504694 T WO 9821366 A1 US 6057111 A	03-06-1998 01-12-1999 10-04-2001 22-05-1998 02-05-2000